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United States Courts
Southern District of Texas
FILED

October 24, 2024

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARVI HINOJOSA, a.k.a. "10 Round,"

and

JOHN SBLENDORIO, a.k.a. "Tech9,"

Defendants.

Case No. **4:24-cr-00543**

COUNT ONE

*Attempted Murder in Aid of
Racketeering Activity*

18 U.S.C. §§ 1959(a)(5) and 2

NMT 10 Years' Imprisonment

NMT \$250,000 Fine

NMT Three Years' Supervised Release

Class C Felony

COUNT TWO

*Using, Carrying, Brandishing, and
Discharging a Firearm During and
in Relation to a Crime of Violence*

18 U.S.C. §§ 924(c)(1)(A)(iii) and 2

NLT 10 Years' Imprisonment (*Consecutive*)

NMT Life Imprisonment

NMT \$250,000 Fine

NMT Five Years' Supervised Release

Class A Felony

\$100 Special Assessment

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(Attempted Murder in Aid of Racketeering Activity)

The Bandidos Enterprise

1. At all times relevant to this Indictment, the defendants, **DARVI HINOJOSA, a.k.a. "10 Round,"** and **JOHN SBLENDORIO, a.k.a. "Tech9,"** together with others known and unknown to the Grand Jury, were members and associates of a criminal organization called the

Bandidos Outlaw Motorcycle Gang (“Bandidos OMG”), which engaged in, among other things, acts of violence, namely, acts involving murder, robbery, and witness intimidation. At all relevant times, the Bandidos OMG operated in the Southern District of Texas and elsewhere.

2. At all times relevant to this Indictment, the Bandidos OMG, including its leaders, members, associates, and prospects, constituted an “enterprise” as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact. The enterprise constituted an ongoing organization whose members, associates, and prospects, functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise was engaged in, and its activities affected, interstate and foreign commerce.

3. The Bandidos OMG is an “outlaw” motorcycle organization comprised of individual chapters located in various cities in Texas and elsewhere. The Bandidos OMG identifies itself as an outlaw motorcycle organization through the public display of the “1%” symbol. The “1%” symbol signifies that the membership of this organization has chosen to be part of the very small fraction of motorcycle-riders who defy legal conventionality and consider themselves “outlaws” or lawbreakers. The Bandidos OMG membership refers to itself as a 1% club.

4. The Bandidos OMG is an international organization. The Bandidos OMG has approximately 175 or more chapters in 15 countries on four continents, with approximately 107 chapters in the United States, including approximately 42 chapters in Texas. The Bandidos OMG membership is estimated at between 1,500 and 2,000 members.

5. The Bandidos OMG in the United States is a highly organized criminal organization which adheres to a hierarchical chain of command both nationally and locally. National officers are the most powerful and influential members of the enterprise. National officers comprise the National Chapter and include the National President, National Vice President, National

Secretaries/Treasurers, National Sergeant at Arms and other National ranking officers in regions throughout the United States and other countries. In addition to the National Chapter, a Nomad Chapter also is located throughout the United States. The Nomad Chapter works for the National Chapter and is involved in gathering intelligence for the Bandidos OMG and meeting with National officers to provide information that relates to the enterprise. Local chapters are organized according to geographic location. To become established, each local chapter must have at least five members and be approved by the National Chapter. The enterprise is operated through a strict chain of command. Each Bandidos OMG Chapter has a President, a Vice-President, a Secretary and/or Treasurer, and a Sergeant at Arms, along with members. Each officer has specific obligations to the enterprise.

6. The Bandidos OMG is a closed society. Allegiance to this organization and its fellow brothers is valued above all else. Bandidos OMG members are strictly prohibited from cooperating with law enforcement. Bandidos OMG members do not respect authority and have a complete disdain for the rules of society. Similarly, Bandidos OMG members will not permit any perceived disrespect to any member by a non-member. Any person perceived to have disrespected or hurt a Bandidos OMG member faces potential retribution from the Bandidos OMG membership.

7. The Bandidos OMG is selective about admitting individuals into the enterprise. There is a lengthy process, often lasting more than five years, before one can become a “full-patch” member, as defined below. This process is designed to guard against law enforcement infiltration into the enterprise. First, the prospective member is allowed to associate with enterprise members. After a period of time, the prospective member is identified as an official “hangaround.” A “hangaround” can later become a “prospect,” which begins the formal initiation period and requires sponsorship by a fully “patched” member. Prospects are obligated to do menial tasks for

“patched” members. Ultimately, enterprise members vote on whether the “prospect” can become a full-patch member. Support club members can be selected to prospect or become full-patch members.

8. A Bandidos support club is a motorcycle club that wears a patch on their cut that says, “I support Bandidos Worldwide.” A “cut” is a vest commonly made from leather or jean material depicting an affiliation with a specific OMG. Support clubs are expected to go to Bandido events, buy Bandido merchandise, or provide other financial support to Bandidos. Support club members are expected to assist a Bandido member if they see the Bandido involved in a fight. Other clubs which are friendly with the Bandidos but are not considered officially sanctioned support clubs wear different patches indicating their association with the Bandidos.

9. Full-patch members are required to own a Harley Davidson motorcycle or facsimile and wear clothing with patches that symbolize the organization. These patches are commonly known as organization “colors.” The color scheme for the Bandidos OMG patch utilizes red letters on a gold (yellow) background. The colors consist of an upper patch (top rocker patch) that identifies the Bandidos OMG name, a center patch that contains the Bandidos OMG emblem (which they refer to as the “Fat Mexican”), and a bottom patch (bottom rocker patch) that designates the State in which the member’s chapter is located. At times, National Officers wear the United States patch or the title of their office instead of a state bottom rocker. Full-patch members also wear a diamond-shaped “1%” patch. The “1%” symbol has become the symbol of the outlaw biker. Members who wear their Bandidos OMG “colors” do so with the authority of the Bandidos OMG. Members are required to wear their “colors” when riding their motorcycles and when attending a National Run or Bandidos OMG events.

10. Bandidos OMG members are required to pay dues on a monthly basis. Support club members pay “donations” to the Bandidos OMG. These dues and donations are forwarded to the national leadership. Fines are also assessed on individual members at various times, with the proceeds being paid to the Bandidos OMG national leadership. The dues and fines help fund the continued operation of the enterprise and are used for a variety of purposes, including payment of expenses of the national leadership, covering funeral expenses of members, contributing to a legal defense fund for members arrested for enterprise-related crimes, and paying costs associated with planned trips or “runs.”

11. The Bandidos OMG claim Texas as their territory. In the state of Texas, the Bandidos OMG has ordered that no other motorcycle rider display on his clothing a “Texas” bottom rocker or a 1% patch without permission from the Bandidos OMG. Any person who wears a “Texas” bottom rocker or a 1% patch without permission is subject to assault or murder by the Bandidos OMG membership.

Purposes of the Enterprise

12. The purposes of the Bandidos OMG enterprise included, but were not limited to, the following:

- a. Preserving, protecting and enhancing the power, territory, reputation and profits of the Bandidos enterprise through the use of intimidation, violence, threats of violence, assault, murder, attempted murder, and robbery;
- b. Promoting and enhancing the Bandidos enterprise and its members’ and associates’ activities, including, but not limited to, the commission of robbery, including the taking of property of rival motorcycle organizations, and other criminal activities, which enhances the status and prestige of the enterprise relative to other clubs;

c. Maximizing profits for enterprise leaders and members from a variety of illegal activities;

d. Keeping victims, potential victims, potential informants and witnesses, and the public-at-large in fear of the Bandidos enterprise, and in fear of its members and associates, through intimidation, violence and threats of violence.

Manner and Means of the Enterprise

13. The manner and means by which members and associates of the Bandidos conducted and participated in in the conduct of the affairs of the enterprise included, but were not limited to, the following:

a. The leaders of the enterprise directed, sanctioned, approved and permitted other members of the enterprise to carry out criminal acts in furtherance of the enterprise.

b. Members and associates of the Bandidos enterprise committed, conspired to commit, and threatened to commit acts of violence, including murder, attempted murder, assault, and intimidation to protect the enterprise's power, territory, reputation, and property.

c. Members and associates of the Bandidos enterprise promoted a climate of fear through intimidation, violence, and threats of violence.

d. Members and associates of the Bandidos enterprise used and threatened to use physical violence against various individuals, including rival motorcycle organization members.

e. Members and associates of the Bandidos enterprise committed, and conspired to commit robbery, including robbery of property of rival motorcycle organizations.

f. Members and associates of the Bandidos enterprise were financially enriched through the distribution of controlled substances, namely methamphetamine and cocaine.

g. Members and associates of the Bandidos enterprise used intimidation to dissuade other motorcycle organizations from associating with Bandidos rivals and to persuade those organizations to become Bandidos support clubs.

h. Members and associates of the Bandidos enterprise traveled in interstate commerce, and used facilities in interstate commerce, to further the goals of the enterprise and achieve its purposes, including acts of violence.

i. Members and associates of the Bandidos enterprise talked in code when communicating over the telephone to avoid law enforcement detection, and communication in person was always preferred.

j. Members and associates of the Bandidos enterprise were forbidden from cooperating with law enforcement. Attorney's fees were paid for by the enterprise when members were arrested for club-related business and to ensure silence was maintained. Legal paperwork was reviewed for signs of possible cooperation with the government. If a member or associate was believed to be cooperating with law enforcement, that member or associate was subject to assault and/or expulsion from the enterprise.

14. At all times relevant to this Indictment, the above-described enterprise, the Bandidos OMG , through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely,

a. multiple acts involving:

i. murder, in violation of Texas Penal Code Sections 19.02, 7.01, 7.02, 15.01, and 15.02 and

ii. robbery, in violation of Texas Penal Code Sections 29.02, 29.03, 7.01, 7.02, 15.01, and 15.02; and

b. multiple offenses involving trafficking in controlled substances, in violation of Title 21, United States Code, Sections 841, 843(b) and 846.

15. On or about June 3, 2023, in the Southern District of Texas and elsewhere, the defendants,

DARVI HINOJOSA, a.k.a. “10 Round,” and

JOHN SBLENDORIO, a.k.a. “Tech9,”

for the purpose of gaining entrance to and maintaining and increasing position in the Bandidos OMG, an enterprise engaged in racketeering activity, while aiding and abetting each other, did knowingly attempt to murder Victim 1—whose identity is known to the Grand Jury—in violation of Texas Penal Code Sections 19.02(b)(1), 7.01, 7.02, 15.01.

All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

COUNT TWO

(Using, Carrying, Brandishing, and Discharging a Firearm During and In Relation to a Federal Crime of Violence)

16. On or about June 3, 2023, in the Southern District of Texas and elsewhere, the defendants,

DARVI HINOJOSA, a.k.a. “10 Round,” and

JOHN SBLENDORIO, a.k.a. “Tech9,”

while aiding and abetting each other, did knowingly and intentionally use, carry, brandish, and discharge a firearm, that is, a handgun, during and in relation to a crime of violence for which each

may be prosecuted in a court of the United States, that is, Attempted Murder in Aid of Racketeering Activity, in violation of Title 18, United States Code, Section 1959(a)(5), as set forth and charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii), and 2.

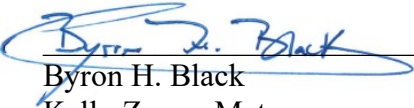
A TRUE BILL.


Original Signature on File

FOREPERSON OF THE GRAND JURY

DATED: October 24, 2024
Houston, Texas

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